

REMARKS

Claims 1-7 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. '121. Specifically, the Official Action avers that the following inventions are present in the claims:

Group 1, FIGS. 2-7B; and

Group 2, FIG. 8.

It is the Examiner's position that the inventions listed as Groups 1 and 2 are distinct from each other.

In response to the Examiner's requirement for restriction, Applicant provisionally elects to prosecute the subject matter of Group 1, Claims 1-4. However, Applicant reserves the right under 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected claims in this application.

Claim 1 is directed to a highchair comprising a base portion; a seat portion; and a pneumatic cylinder lifting means, wherein both ends of the lifting means are connected to the base portion and the seat portion, respectively. The Examiner indicates that currently at least **claim 1 appears generic**. The applicant maintains that claims 5-8 are directed to the highchair of FIG. 8.

10/691,983

Response to Restriction Requirement dated May 11, 2004

Response dated June 9, 2004

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink that reads "Anthony N. Fresco". The signature is written in a cursive, flowing style.

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